

## Vote NO on HB 570 – Immunity For Business Ventures

The purpose of this statute was to encourage landowners, including governmental entities, to allow **free** use of their land for recreational purposes, in return the landowners received immunity for negligence – only having liability for willful and wanton misconduct. This bill seeks to extend the immunity provisions to landowners that charge **less** than \$250 per person per day. **That is extending immunity to a business venture not a good neighbor landowner.**

This Grants Governmental Immunity – **two thirds vote required.**

Governmental entities that now charge for services – state parks, Lewis & Clark Caverns tours, etc – that are responsible and accountable for their negligence under current law, are not responsible for negligence, only willful or wanton misconduct, under HB 570.

**70-16-301. Recreational purposes defined.** "Recreational purposes", as used in this part, includes hunting, fishing, swimming, boating, waterskiing, camping, picnicking, pleasure driving, biking, winter sports, hiking, touring or viewing cultural and historical sites and monuments, spelunking, or other pleasure expeditions. The term includes the private, noncommercial flying of aircraft in relation to private land.

Every paying campground, waterski area, marina, and ski area in the state would now have immunity – they would no longer be legally responsible for their negligence.

This is bad public policy that will encourage landowners to start charging a fee for the use of their land – turning a profit and receiving immunity. We have lots of good neighbor landowners in Montana like the RV Ranch west of Helena. The RV allows free sledding on their ranch property on McDonald Pass – a great, cheap outing for area families – and they have no liability for negligence under our current law. This law could make them stop and think – why do this for free if we could start charging \$5, \$10 or \$20 per person per day, and have no liability for negligence? The popular, cheap family outing then becomes a cost prohibitive pipe dream for many families.